

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

FILED (1)

2014 JUN -3 P 3:50

U.S. BANKRUPTCY COURT
E.D. MICHIGAN DETROIT

In re:

CITY OF DETROIT,

Debtor.

)
)
) Chapter 9
)
) Case No. 13-53846
)
) Hon. Steven W. Rhodes
)
) GOVERNMENTAL BAR DATE
) CLAIM

FIRST AMENDED MEMORANDUM IN SUPPORT OF
EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S
CONSOLIDATED PROOF OF CLAIM

1. The undersigned United States Equal Employment Opportunity Commission ("Commission" or "EEOC") is the claimant herein. The EEOC's address is 477 Michigan Avenue, Room 865, Detroit, Michigan 48226. The Commission is the agency of the United States Government charged with the interpretation and enforcement of, as relevant here, Title VII of the Civil Rights Act of 1964 (Title VII), *as amended*, 42 U.S.C. § 2000e, *et seq.*; Title I of the Civil Rights Act of 1991 (Title I), 42 U.S.C. § 1981a, *et seq.*; and Title I of the Americans with Disabilities Act of 1990 (ADA), *as amended*, 42 U.S.C. § 12101, *et seq.*

2. The Commission's undersigned Trial Attorney is an employee authorized to file this First Amended Consolidated Proof of Claim and Memorandum in Support of EEOC's Consolidated Proof of Claim on behalf of the EEOC. The Commission incorporates by reference its previous Consolidated Proof

of Claim and the Memorandum and Exhibits thereto as though set forth herein in full.

3. The Commission's Detroit Field Office is filing this Amended Consolidated Proof of Claim covering ten (10) Charges of employment discrimination, or sub-claims, for which monetary relief is sought.

4. As specified in EEOC's Amended Consolidated Proof of Claim, the Debtor, prior to the filing of the petition initiating this case became liable to this claimant for unsecured claims presently valued at \$1,384,871.60. In support of EEOC's Consolidated Proof of Claim, EEOC has attached a copy of each Charge of employment discrimination and Letter of Determination (if applicable) in Exhibit 1.¹

5. The proofs of claim are attached as Exhibit 2.

6. If, upon completion of EEOC's investigation, EEOC determines that there is reasonable cause to believe that discrimination occurred, Debtor will become liable for backpay, compensatory damages, punitive damages and interest to remedy unlawful discrimination as set forth in the sub-claims detailed below:

Sub-Claim Re: Charge No. 471-2013-00912; **Colleen Davenport**

7. Charging Party alleges that on December 10, 2012, the City of Detroit discharged her from her employment because of her pregnancy in violation of Title VII and failed to pay this Charging Party wages or salaries.

8. The Commission found reasonable cause to believe Title VII had been violated on April 1, 2014, and issued the attached Letter of Determination on that date.

¹ Only the Charge for Lee and the Letter of Determination for Davenport are included in the Amended Memorandum. The Commission relies upon its previous filing for all documents relating to the other claimants.

9. This sub-claim consists of an unsecured claim of \$217,284.10 in back pay, compensatory and punitive damages accrued from December 10, 2012 through July 18, 2013.

10. No judgment has been rendered on this sub-claim.

11. The amount of all payments on this sub-claim has been credited and deducted for the purpose of making this sub-claim.

12. This sub-claim is not subject to any setoff or counterclaim.

Sub-Claim Re: Charge No. 471-2013-03599; **Jerry D. Patrick**

13. Charging Party alleges that since December 6, 2012, the City of Detroit has discriminated against him in his employment because of his association with a person with disabilities in violation of the ADA and failed to pay him wages or salaries.

14. No Determination has been made regarding this Charge and the EEOC's investigation is continuing.

15. This sub-claim consists of an unsecured claim of \$101,867.00 in back pay, compensatory and punitive damages accrued from December 6, 2012 through July 18, 2013.

16. No judgment has been rendered on this sub-claim.

17. The amount of all payments on this sub-claim has been credited and deducted for the purpose of making this sub-claim.

18. This sub-claim is not subject to any setoff or counterclaim.

Sub-Claim Re: Charge No. 471-2013-03183; **Joseph Fletcher**

19. Charging Party alleges that since April 2012, the City of Detroit has

discriminated against him in his employment because of his race and his complaints about race discrimination in violation of Title VII and failed to pay him wages or salary.

20. No Determination has been made regarding this Charge and the EEOC's investigation is continuing.

21. This sub-claim consists of an unsecured claim of \$68,133.90 in back pay, compensatory and punitive damages accrued from April 2012 through July 18, 2013.

22. No judgment has been rendered on this sub-claim.

23. The amount of all payments on this sub-claim has been credited and deducted for the purpose of making this sub-claim.

24. This sub-claim is not subject to any setoff or counterclaim.

Sub-Claim Re: Charge No. 471-2013-01577; **Khadijah Ahmad**

25. Charging Party alleges that since October 2010, the City of Detroit has discriminated against her in her employment because of her sex and her complaints about sexual harassment in violation of Title VII, including discharging her on January 16, 2013 and failed to pay her wages or salaries.

26. No Determination has been made regarding this Charge and the EEOC's investigation is continuing.

27. This sub-claim consists of an unsecured claim of \$220,062.67 in back pay, compensatory and punitive damages accrued from October 2010 through July 18, 2013.

28. No judgment has been rendered on this sub-claim.

29. The amount of all payments on this sub-claim has been credited and

deducted for the purpose of making this sub-claim.

30. This sub-claim is not subject to any setoff or counterclaim.

Sub-Claim Re: Charge No. 471-2013-00823; **Kim Spicer**

31. Charging Party alleges that since August 22, 2012, the City of Detroit has discriminated against him in his employment because of his race and his complaints about racial discrimination in violation of Title VII, and failed to pay him wages or salaries.

32. No Determination has been made regarding this Charge and the EEOC's investigation is continuing.

33. This sub-claim consists of an unsecured claim of \$204,272.75 in back pay, compensatory and punitive damages accrued from August 22 through July 18, 2013.

34. No judgment has been rendered on this sub-claim.

35. The amount of all payments on this sub-claim has been credited and deducted for the purpose of making this sub-claim.

36. This sub-claim is not subject to any setoff or counterclaim.

Sub-Claim Re: Charge No. 471-2013-02956; **Major Russell**

37. Charging Party alleges that since August 22, 2012, the City of Detroit has discriminated against him in his employment because of his race and his complaints about racial discrimination in violation of Title VII, and failed to pay him wages or salaries.

38. No Determination has been made regarding this Charge and the EEOC's investigation is continuing.

39. This sub-claim consists of an unsecured claim of \$100,000 in compensatory and punitive damages accrued from August 22 through July 18, 2013.

40. No judgment has been rendered on this sub-claim.

41. The amount of all payments on this sub-claim has been credited and deducted for the purpose of making this sub-claim.

42. This sub-claim is not subject to any setoff or counterclaim.

Sub-Claim Re: Charge No. 471-2013-02967; **Shannon Dekun**

43. Charging Party alleges that since July 7, 2013, the City of Detroit has discriminated against her in her employment because of her sex in violation of Title VII, and failed to pay her damages.

44. No Determination has been made regarding this Charge and the EEOC's investigation is continuing.

45. This sub-claim consists of an unsecured claim of \$200,000 in compensatory and punitive damages accrued from July 7 through July 18, 2013.

46. No judgment has been rendered on this sub-claim.

47. The amount of all payments on this sub-claim has been credited and deducted for the purpose of making this sub-claim.

48. This sub-claim is not subject to any setoff or counterclaim.

Sub-Claim Re: Charge No. 471-2014-00163; **Sherell S. Stanley**

49. Charging Party alleges that since October 24, 2012, the City of Detroit has discriminated against her in her employment because of her sex and because of her complaints about sexual discrimination in violation of Title VII, and failed to pay her wages or salaries.

50. No Determination has been made regarding this Charge and the EEOC's investigation is continuing.

51. This sub-claim consists of an unsecured claim of \$135,006.55 in backpay, compensatory and punitive damages accrued from October 24, 2012 through July 18, 2013.

52. No judgment has been rendered on this sub-claim.

53. The amount of all payments on this sub-claim has been credited and deducted for the purpose of making this sub-claim.

54. This sub-claim is not subject to any setoff or counterclaim.

Sub-Claim Re: Charge No. 471-2014-00473; **Tammy Barnes**

55. Charging Party alleges that since November 2011, the City of Detroit has discriminated against her in her employment because of her sex in violation of Title VII, and failed to pay this Charging Party wages or salaries.

56. No Determination has been made regarding this Charge and the EEOC's investigation is continuing.

57. This sub-claim consists of an unsecured claim of \$128,244.80 in backpay, compensatory and punitive damages accrued from October 24, 2012 through July 18, 2013.

58. No judgment has been rendered on this sub-claim.

59. The amount of all payments on this sub-claim has been credited and deducted for the purpose of making this sub-claim.

60. This sub-claim is not subject to any setoff or counterclaim.

Sub-Claim Re: Charge No. 471-2014-02106; Vera Lee

61. Charging Party alleges that since May 2013, the City of Detroit has discriminated against her in her employment on the basis of her sex in violation of Title VII, and failed to pay this Charging Party wages or salaries.

62. No Determination has been made regarding this Charge and the EEOC's investigation is continuing.

63. This sub-claim consists of an unsecured claim of \$10,000 in backpay, compensatory and punitive damages accrued from May 1, 2013 through July 18, 2013.

64. No judgment has been rendered on this sub-claim.

65. The amount of all payments on this sub-claim has been credited and deducted for the purpose of making this sub-claim.

66. This sub-claim is not subject to any setoff or counterclaim.

PENALTY FOR PRESENTING FRAUDULENT CLAIM. Fine of up to \$500,000 or imprisonment for not more than 5 years, or both. 18 U.S.C. Sections 152 and 3571.

Respectfully submitted,

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION

Dated: June 3, 2014

/s/ Dale Price

Dale Price (P55578)

Trial Attorney

DETROIT FIELD OFFICE

477 Michigan Ave., Room 865
Detroit, Michigan 48226
(313) 226-7808
dale.price@ecoc.gov

EXHIBIT 1

CHARGE OF DISCRIMINATION <small>This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.</small>		Charge Presented To: Agency(ies) Charge No(s): <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC </div> <div> 471-2014-01206 </div> </div>	
Michigan Department Of Civil Rights and EEOC <small>State or local Agency, if any</small>			
Name (indicate Mr., Ms., Mrs.) Vera Lee		Home Phone (Incl. Area Code) (313) 402-0344	Date of Birth 04-30-1958
Street Address City, State and ZIP Code 13568 Anglin, Detroit, MI 48212			
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)			
Name DETROIT WASTEWATER TREATMENT PLANT		No. Employees, Members 500 or More	Phone No. (Include Area Code) (313) 585-7500
Street Address City, State and ZIP Code 9301 W. Jefferson Ave, Detroit, MI 48209			
Name 		No. Employees, Members 	Phone No. (Include Area Code)
Street Address City, State and ZIP Code 			
DISCRIMINATION BASED ON (Check appropriate box(es).) <div style="display: flex; flex-wrap: wrap;"> <div style="margin-right: 10px;"><input type="checkbox"/> RACE</div> <div style="margin-right: 10px;"><input type="checkbox"/> COLOR</div> <div style="margin-right: 10px;"><input checked="" type="checkbox"/> SEX</div> <div style="margin-right: 10px;"><input type="checkbox"/> RELIGION</div> <div style="margin-right: 10px;"><input type="checkbox"/> NATIONAL ORIGIN</div> <div style="margin-right: 10px;"><input type="checkbox"/> RETALIATION</div> <div style="margin-right: 10px;"><input type="checkbox"/> AGE</div> <div style="margin-right: 10px;"><input type="checkbox"/> DISABILITY</div> <div style="margin-right: 10px;"><input type="checkbox"/> GENETIC INFORMATION</div> <div style="margin-right: 10px;"><input type="checkbox"/> OTHER (Specify)</div> </div>		DATE(S) DISCRIMINATION TOOK PLACE Earliest Latest 05-01-2013 02-11-2014 <input type="checkbox"/> CONTINUING ACTION	
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)) <p>I began working for the above-named employer on 17 May 1995; I am currently employed as a Plant Maintenance Mechanic.</p> <p>In May 2013, I was forced to join a pilot program that was presented as voluntary. Since this program has been put in place I was forced out of my job assignment. I know of two similarly situated males with less seniority than myself who were apart of the same pilot program but have been allowed to remain in their job assignment at Declor in the Mechanics Dept. One of these males has willingly volunteered to switch assignments with myself, but has been refused. I have been notified that I am no longer allowed to go to the Declor section.</p> <p>I can only conclude that I have been subjected to different terms and conditions of employment due to my sex, female, in violation of Title VII of the Civil Rights Act of 1964, as amended.</p>			

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.		NOTARY - When necessary for State and Local Agency Requirements	
I declare under penalty of perjury that the above is true and correct.		I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.	
<div style="display: flex; justify-content: space-between;"> <div> Feb 24, 2014 <small>Date</small> </div> <div> <small>Charging Party Signature</small> </div> </div>		SIGNATURE OF COMPLAINANT SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE <small>(month, day, year)</small> 24 Feb 2014	



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Detroit Field Office

477 Michigan Avenue, Room 865
Detroit, MI 48226
(313) 226-4600
TTY (313) 226-7599
FAX (313) 226-2778

Charge No.: 471-2013-00912

Colleen S. Davenport
20505 Ryan Road
Detroit, MI 48234

Charging Party

and

Detroit Water & Sewerage
9300 W. Jefferson
Detroit, MI 48209

Respondent

DETERMINATION

Under the authority vested in me by the Commission's Procedural Regulations, I issue the following determination on the merits of this charge.

The Respondent is an employer within the meaning of Title VII of the Civil Rights Act of 1964, as amended, and timeliness, deferral and all other requirements for coverage have been met.

The Charging Party alleges that she was subjected to a lay off, and different terms and conditions of employment due to her sex, female (pregnancy), in violation of Title VII of the Civil Rights Act of 1964, as amended. The Respondent stated that it has not discriminated against the Charging Party. The Commission has established that there is reasonable cause to believe the Charging Party's allegations are true.

Title VII of the Civil Rights Act of 1964, as amended, requires that when the Commission determines that there is reason to believe that violation(s) have occurred, it shall endeavor to eliminate the alleged unlawful employment practices by informal methods of conference, conciliation, and persuasion. Having determined that there is reason to believe that violations have occurred, the Commission now invites the parties to join with it in a collective effort toward a just resolution of this matter. Enclosed is a proposed Conciliation Agreement which contains the type of relief necessary to remedy the violation of the statute.

Disclosure of information obtained by the Commission during the conciliation process will be made in accordance with the Commissions Procedural Regulations.

When the Respondent declines to enter into settlement discussion, or when the Commission's representative for any other reason, is unable to secure a settlement acceptable to the office Director, the Director shall so inform the parties in writing and advise them of the court enforcement alternative available to the Charging Party, aggrieved persons, and the Commission.

On Behalf of the Commission:

4/01/2014
Date

Wade C. Schacht
for Webster N. Smith
District Director

Enclosure: Information Sheet on Filing
Suit in Federal Court

EXHIBIT 2

UNITED STATES BANKRUPTCY COURT Eastern District of Michigan		CHAPTER 9 PROOF OF CLAIM
Name of Debtor: City of Detroit, Michigan	Case Number: 13-53846	U.S. BANKRUPTCY COURT EASTERN DISTRICT OF MICHIGAN - DETROIT 2014 JUN -3 P 3: FILED COURT USE ONLY
NOTE: Do not use this form to make a claim for an administrative expense that arises after the bankruptcy filing. You may file a request for payment of an administrative expense according to 11 U.S.C. § 503.		
Name of Creditor (the person or other entity to whom the debtor owes money or property): U.S. Equal Employment Opportunity Commission		
Name and address where notices should be sent: Dale Price, Trial Attorney 477 Michigan Avenue, Room 865 Detroit, Michigan 48226 Telephone number: (313) 226-7808 email: dale.price@eeoc.gov		<input type="checkbox"/> Check this box if this claim amends a previously filed claim. Court Claim Number: _____ (If known) Filed on: _____
Name and address where payment should be sent (if different from above): Vera Lee 13568 Anglin Detroit, Michigan 48212 Telephone number: (313) 402-0344 email: vmamason@netzero.net		<input type="checkbox"/> Check this box if you are aware that anyone else has filed a proof of claim relating to this claim. Attach copy of statement giving particulars.
1. Amount of Claim as of Date Case Filed: \$ <u>5,000.00</u>		
If all or part of the claim is secured, complete item 4. If all or part of the claim is entitled to priority, complete item 5. <input checked="" type="checkbox"/> Check this box if the claim includes interest or other charges in addition to the principal amount of the claim. Attach a statement that itemizes interest or charges.		
2. Basis for Claim: <u>Discrimination based on Sex (Female)</u> (See instruction #2)		
3. Last four digits of any number by which creditor identifies debtor:	3a. Debtor may have scheduled account as: _____ (See instruction #3a)	3b. Uniform Claim Identifier (optional): _____ (See instruction #3b)
4. Secured Claim (See instruction #4) Check the appropriate box if the claim is secured by a lien on property or a right of setoff, attach required redacted documents, and provide the requested information.		
Nature of property or right of setoff: <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other Describe: _____ Value of Property: \$ _____ Annual Interest Rate _____ % <input type="checkbox"/> Fixed or <input type="checkbox"/> Variable (when case was filed)		Amount of arrearage and other charges, as of the time case was filed, included in secured claim, if any: \$ _____ Basis for perfection: _____ Amount of Secured Claim: \$ _____ Amount Unsecured: \$ _____
5. Amount of Claim Entitled to Priority under 11 U.S.C. § 507 (a). If any part of the claim falls into one of the following categories, check the box specifying the priority and state the amount.		
<input type="checkbox"/> Domestic support obligations under 11 U.S.C. § 507 (a)(1)(A) or (a)(1)(B).	<input checked="" type="checkbox"/> Wages, salaries, or commissions (up to \$12,475*) earned within 180 days before the case was filed or the debtor's business ceased, whichever is earlier – 11 U.S.C. § 507 (a)(4).	<input type="checkbox"/> Contributions to an employee benefit plan – 11 U.S.C. § 507 (a)(5).
<input type="checkbox"/> Up to \$2,775* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use – 11 U.S.C. § 507 (a)(7).	<input type="checkbox"/> Taxes or penalties owed to governmental units – 11 U.S.C. § 507 (a)(8).	<input type="checkbox"/> Other – Specify applicable paragraph of 11 U.S.C. § 507 (a)(____).
Amount entitled to priority: \$ <u>5,000.00</u>		
*Amounts are subject to adjustment on 4/01/16 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.		
6. Credits. The amount of all payments on this claim has been credited for the purpose of making this proof of claim. (See instruction #6)		

7. Documents: Attached are redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, security agreements, or, in the case of a claim based on an open-end or revolving consumer credit agreement, a statement providing the information required by FRBP 3001(c)(3)(A). If the claim is secured, box 4 has been completed, and redacted copies of documents providing evidence of perfection of a security interest are attached. If the claim is secured by the debtor's principal residence, the Mortgage Proof of Claim Attachment is being filed with this claim. (See instruction #7, and the definition of "redacted".)

DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING.

If the documents are not available, please explain:

8. Signature: (See instruction #8)

Check the appropriate box.

☐ I am the creditor. ☒ I am the creditor's authorized agent. ☐ I am the trustee, or the debtor, or their authorized agent. ☐ I am a guarantor, surety, indorser, or other codebtor. (See Bankruptcy Rule 3005.)
(See Bankruptcy Rule 3004.)

I declare under penalty of perjury that the information provided in this claim is true and correct to the best of my knowledge, information, and reasonable belief.

Print Name: Dale Price
Title: Trial Attorney
Company: Equal Employment Opportunity Commission
Address and telephone number (if different from notice address above):

Telephone number: _____ email: _____

Dale Price
(Signature)

6-3-14
(Date)

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571.

INSTRUCTIONS FOR PROOF OF CLAIM FORM

The instructions and definitions below are general explanations of the law. In certain circumstances, such as bankruptcy cases not filed voluntarily by the debtor, exceptions to these general rules may apply.

Items to be completed in Proof of Claim form

Court, Name of Debtor, and Case Number:

Fill in the federal judicial district in which the bankruptcy case was filed (for example, Central District of California), the debtor's full name, and the case number. If the creditor received a notice of the case from the bankruptcy court, all of this information is at the top of the notice.

Creditor's Name and Address:

Fill in the name of the person or entity asserting a claim and the name and address of the person who should receive notices issued during the bankruptcy case. A separate space is provided for the payment address if it differs from the notice address. The creditor has a continuing obligation to keep the court informed of its current address. See Federal Rule of Bankruptcy Procedure (FRBP) 2002(g).

1. Amount of Claim as of Date Case Filed:

State the total amount owed to the creditor on the date of the bankruptcy filing. Follow the instructions concerning whether to complete items 4 and 5. Check the box if interest or other charges are included in the claim.

2. Basis for Claim:

State the type of debt or how it was incurred. Examples include goods sold, money loaned, services performed, personal injury/wrongful death, car loan, mortgage note, and credit card. If the claim is based on delivering health care goods or services, limit the disclosure of the goods or services so as to avoid embarrassment or the disclosure of confidential health care information. You may be required to provide additional disclosure if an interested party objects to the claim.

3. Last Four Digits of Any Number by Which Creditor Identifies Debtor:

State only the last four digits of the debtor's account or other number used by the creditor to identify the debtor.

3a. Debtor May Have Scheduled Account As:

Report a change in the creditor's name, a transferred claim, or any other information that clarifies a difference between this proof of claim and the claim as scheduled by the debtor.

3b. Uniform Claim Identifier:

If you use a uniform claim identifier, you may report it here. A uniform claim identifier is an optional 24-character identifier that certain large creditors use to facilitate electronic payment in chapter 13 cases.

4. Secured Claim:

Check whether the claim is fully or partially secured. Skip this section if the

claim is entirely unsecured. (See Definitions.) If the claim is secured, check the box for the nature and value of property that secures the claim, attach copies of lien documentation, and state, as of the date of the bankruptcy filing, the annual interest rate (and whether it is fixed or variable), and the amount past due on the claim.

5. Amount of Claim Entitled to Priority Under 11 U.S.C. § 507 (a).

If any portion of the claim falls into any category shown, check the appropriate box(es) and state the amount entitled to priority. (See Definitions.) A claim may be partly priority and partly non-priority. For example, in some of the categories, the law limits the amount entitled to priority.

6. Credits:

An authorized signature on this proof of claim serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

7. Documents:

Attach redacted copies of any documents that show the debt exists and a lien secures the debt. You must also attach copies of documents that evidence perfection of any security interest and documents required by FRBP 3001(c) for claims based on an open-end or revolving consumer credit agreement or secured by a security interest in the debtor's principal residence. You may also attach a summary in addition to the documents themselves. FRBP 3001(c) and (d). If the claim is based on delivering health care goods or services, limit disclosing confidential health care information. Do not send original documents, as attachments may be destroyed after scanning.

8. Date and Signature:

The individual completing this proof of claim must sign and date it. FRBP 9011. If the claim is filed electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what constitutes a signature. If you sign this form, you declare under penalty of perjury that the information provided is true and correct to the best of your knowledge, information, and reasonable belief. Your signature is also a certification that the claim meets the requirements of FRBP 9011(b). Whether the claim is filed electronically or in person, if your name is on the signature line, you are responsible for the declaration. Print the name and title, if any, of the creditor or other person authorized to file this claim. State the filer's address and telephone number if it differs from the address given on the top of the form for purposes of receiving notices. If the claim is filed by an authorized agent, provide both the name of the individual filing the claim and the name of the agent. If the authorized agent is a servicer, identify the corporate servicer as the company. Criminal penalties apply for making a false statement on a proof of claim.

DEFINITIONS	INFORMATION
<p>Debtor A debtor is the person, corporation, or other entity that has filed a bankruptcy case.</p>	<p>A claim also may be secured if the creditor owes the debtor money (has a right to setoff).</p> <p>Unsecured Claim An unsecured claim is one that does not meet the requirements of a secured claim. A claim may be partly unsecured if the amount of the claim exceeds the value of the property on which the creditor has a lien.</p> <p>Claim Entitled to Priority Under 11 U.S.C. § 507 (a) Priority claims are certain categories of unsecured claims that are paid from the available money or property in a bankruptcy case before other unsecured claims.</p> <p>Redacted A document has been redacted when the person filing it has masked, edited out, or otherwise deleted, certain information. A creditor must show only the last four digits of any social-security, individual's tax-identification, or financial-account number, only the initials of a minor's name, and only the year of any person's date of birth. If the claim is based on the delivery of health care goods or services, limit the disclosure of the goods or services so as to avoid embarrassment or the disclosure of confidential health care information.</p> <p>Evidence of Perfection Evidence of perfection may include a mortgage, lien, certificate of title, financing statement, or other document showing that the lien has been filed or recorded.</p>
<p>Creditor A creditor is a person, corporation, or other entity to whom debtor owes a debt that was incurred before the date of the bankruptcy filing. See 11 U.S.C. §101 (10).</p>	<p>Acknowledgment of Filing of Claim To receive acknowledgment of your filing, you may either enclose a stamped self-addressed envelope and a copy of this proof of claim or you may access the court's PACER system (www.pacer.psc.uscourts.gov) for a small fee to view your filed proof of claim.</p>
<p>Claim A claim is the creditor's right to receive payment for a debt owed by the debtor on the date of the bankruptcy filing. See 11 U.S.C. §101 (5). A claim may be secured or unsecured.</p>	<p>Offers to Purchase a Claim Certain entities are in the business of purchasing claims for an amount less than the face value of the claims. One or more of these entities may contact the creditor and offer to purchase the claim. Some of the written communications from these entities may easily be confused with official court documentation or communications from the debtor. These entities do not represent the bankruptcy court or the debtor. The creditor has no obligation to sell its claim. However, if the creditor decides to sell its claim, any transfer of such claim is subject to FRBP 3001(e), any applicable provisions of the Bankruptcy Code (11 U.S.C. § 101 <i>et seq.</i>), and any applicable orders of the bankruptcy court.</p>
<p>Proof of Claim A proof of claim is a form used by the creditor to indicate the amount of the debt owed by the debtor on the date of the bankruptcy filing. The creditor must file the form with the clerk of the same bankruptcy court in which the bankruptcy case was filed.</p>	
<p>Secured Claim Under 11 U.S.C. § 506 (a) A secured claim is one backed by a lien on property of the debtor. The claim is secured so long as the creditor has the right to be paid from the property prior to other creditors. The amount of the secured claim cannot exceed the value of the property. Any amount owed to the creditor in excess of the value of the property is an unsecured claim. Examples of liens on property include a mortgage on real estate or a security interest in a car. A lien may be voluntarily granted by a debtor or may be obtained through a court proceeding. In some states, a court judgment is a lien.</p>	

UNITED STATES BANKRUPTCY COURT Eastern District of Michigan		CHAPTER 9 PROOF OF CLAIM
Name of Debtor: City of Detroit, Michigan	Case Number: 13-53846	<div style="font-size: 2em; transform: rotate(-90deg); display: inline-block;">FILED</div> <div style="font-size: 1.2em; transform: rotate(-90deg); display: inline-block;">U.S. BANKRUPTCY COURT E.D. MICHIGAN DEPT.</div> <div style="font-size: 1.2em; transform: rotate(-90deg); display: inline-block;">2014 JUN -3 1 P 30</div>
NOTE: Do not use this form to make a claim for an administrative expense that arises after the bankruptcy filing. You may file a request for payment of an administrative expense according to 11 U.S.C. § 503.		
Name of Creditor (the person or other entity to whom the debtor owes money or property): U.S. Equal Employment Opportunity Commission		
Name and address where notices should be sent: Dale Price, Trial Attorney 477 Michigan Avenue, Room 865 Detroit, Michigan 48226 Telephone number: (313) 226-7808 email: dale.price@eeoc.gov		<input checked="" type="checkbox"/> Check this box if this claim amends a previously filed claim. Court Claim Number: _____ (If known) Filed on: _____
Name and address where payment should be sent (if different from above): Colleen S. Davenport 20505 Ryan Road Detroit, MI 48234 Telephone number: (313) 618-1724 email: cdavenport840@gmail.com		<input type="checkbox"/> Check this box if you are aware that anyone else has filed a proof of claim relating to this claim. Attach copy of statement giving particulars.
1. Amount of Claim as of Date Case Filed: \$ <u>217,284.10</u> If all or part of the claim is secured, complete item 4. If all or part of the claim is entitled to priority, complete item 5. <input checked="" type="checkbox"/> Check this box if the claim includes interest or other charges in addition to the principal amount of the claim. Attach a statement that itemizes interest or charges.		
2. Basis for Claim: <u>Discrimination (pregnancy) resulting in termination</u> (See instruction #2)		
3. Last four digits of any number by which creditor identifies debtor:	3a. Debtor may have scheduled account as: _____ (See instruction #3a)	3b. Uniform Claim Identifier (optional): _____ (See instruction #3b)
4. Secured Claim (See instruction #4) Check the appropriate box if the claim is secured by a lien on property or a right of setoff, attach required redacted documents, and provide the requested information.		
Nature of property or right of setoff: <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other Describe: _____ Value of Property: \$ _____ Annual Interest Rate _____ % <input type="checkbox"/> Fixed or <input type="checkbox"/> Variable (when case was filed)		Amount of arrearage and other charges, as of the time case was filed, included in secured claim, if any: \$ _____ Basis for perfection: _____ Amount of Secured Claim: \$ _____ Amount Unsecured: \$ _____
5. Amount of Claim Entitled to Priority under 11 U.S.C. § 507 (a). If any part of the claim falls into one of the following categories, check the box specifying the priority and state the amount.		
<input type="checkbox"/> Domestic support obligations under 11 U.S.C. § 507 (a)(1)(A) or (a)(1)(B).	<input checked="" type="checkbox"/> Wages, salaries, or commissions (up to \$12,475*) earned within 180 days before the case was filed or the debtor's business ceased, whichever is earlier -- 11 U.S.C. § 507 (a)(4).	<input type="checkbox"/> Contributions to an employee benefit plan -- 11 U.S.C. § 507 (a)(5).
<input type="checkbox"/> Up to \$2,775* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use -- 11 U.S.C. § 507 (a)(7).	<input type="checkbox"/> Taxes or penalties owed to governmental units -- 11 U.S.C. § 507 (a)(8).	<input type="checkbox"/> Other -- Specify applicable paragraph of 11 U.S.C. § 507 (a)(____).
		Amount entitled to priority: \$ <u>12,475.00</u>
<i>*Amounts are subject to adjustment on 4/01/16 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.</i>		
6. Credits. The amount of all payments on this claim has been credited for the purpose of making this proof of claim. (See instruction #6)		

7. Documents: Attached are **redacted** copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, security agreements, or, in the case of a claim based on an open-end or revolving consumer credit agreement, a statement providing the information required by FRBP 3001(c)(3)(A). If the claim is secured, box 4 has been completed, and **redacted** copies of documents providing evidence of perfection of a security interest are attached. If the claim is secured by the debtor's principal residence, the Mortgage Proof of Claim Attachment is being filed with this claim. (See instruction #7, and the definition of "redacted".)

DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING.

If the documents are not available, please explain:

8. Signature: (See instruction #8)

Check the appropriate box.

☐ I am the creditor. ☒ I am the creditor's authorized agent. ☐ I am the trustee, or the debtor, or their authorized agent. (See Bankruptcy Rule 3004.) ☐ I am a guarantor, surety, indorser, or other codebtor. (See Bankruptcy Rule 3005.)

I declare under penalty of perjury that the information provided in this claim is true and correct to the best of my knowledge, information, and reasonable belief.

Print Name: Dale Price
Title: Trial Attorney
Company: Equal Employment Opportunity Commission
Address and telephone number (if different from notice address above):

Dale Price
(Signature)

6-3-14
(Date)

Telephone number: _____ email: _____

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571.

INSTRUCTIONS FOR PROOF OF CLAIM FORM

The instructions and definitions below are general explanations of the law. In certain circumstances, such as bankruptcy cases not filed voluntarily by the debtor, exceptions to these general rules may apply.

Items to be completed in Proof of Claim form

Court, Name of Debtor, and Case Number:

Fill in the federal judicial district in which the bankruptcy case was filed (for example, Central District of California), the debtor's full name, and the case number. If the creditor received a notice of the case from the bankruptcy court, all of this information is at the top of the notice.

Creditor's Name and Address:

Fill in the name of the person or entity asserting a claim and the name and address of the person who should receive notices issued during the bankruptcy case. A separate space is provided for the payment address if it differs from the notice address. The creditor has a continuing obligation to keep the court informed of its current address. See Federal Rule of Bankruptcy Procedure (FRBP) 2002(g).

1. Amount of Claim as of Date Case Filed:

State the total amount owed to the creditor on the date of the bankruptcy filing. Follow the instructions concerning whether to complete items 4 and 5. Check the box if interest or other charges are included in the claim.

2. Basis for Claim:

State the type of debt or how it was incurred. Examples include goods sold, money loaned, services performed, personal injury/wrongful death, car loan, mortgage note, and credit card. If the claim is based on delivering health care goods or services, limit the disclosure of the goods or services so as to avoid embarrassment or the disclosure of confidential health care information. You may be required to provide additional disclosure if an interested party objects to the claim.

3. Last Four Digits of Any Number by Which Creditor Identifies Debtor:

State only the last four digits of the debtor's account or other number used by the creditor to identify the debtor.

3a. Debtor May Have Scheduled Account As:

Report a change in the creditor's name, a transferred claim, or any other information that clarifies a difference between this proof of claim and the claim as scheduled by the debtor.

3b. Uniform Claim Identifier:

If you use a uniform claim identifier, you may report it here. A uniform claim identifier is an optional 24-character identifier that certain large creditors use to facilitate electronic payment in chapter 13 cases.

4. Secured Claim:

Check whether the claim is fully or partially secured. Skip this section if the

claim is entirely unsecured. (See Definitions.) If the claim is secured, check the box for the nature and value of property that secures the claim, attach copies of lien documentation, and state, as of the date of the bankruptcy filing, the annual interest rate (and whether it is fixed or variable), and the amount past due on the claim.

5. Amount of Claim Entitled to Priority Under 11 U.S.C. § 507 (a).

If any portion of the claim falls into any category shown, check the appropriate box(es) and state the amount entitled to priority. (See Definitions.) A claim may be partly priority and partly non-priority. For example, in some of the categories, the law limits the amount entitled to priority.

6. Credits:

An authorized signature on this proof of claim serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

7. Documents:

Attach redacted copies of any documents that show the debt exists and a lien secures the debt. You must also attach copies of documents that evidence perfection of any security interest and documents required by FRBP 3001(c) for claims based on an open-end or revolving consumer credit agreement or secured by a security interest in the debtor's principal residence. You may also attach a summary in addition to the documents themselves. FRBP 3001(c) and (d). If the claim is based on delivering health care goods or services, limit disclosing confidential health care information. Do not send original documents, as attachments may be destroyed after scanning.

8. Date and Signature:

The individual completing this proof of claim must sign and date it. FRBP 9011. If the claim is filed electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what constitutes a signature. If you sign this form, you declare under penalty of perjury that the information provided is true and correct to the best of your knowledge, information, and reasonable belief. Your signature is also a certification that the claim meets the requirements of FRBP 9011(b). Whether the claim is filed electronically or in person, if your name is on the signature line, you are responsible for the declaration. Print the name and title, if any, of the creditor or other person authorized to file this claim. State the filer's address and telephone number if it differs from the address given on the top of the form for purposes of receiving notices. If the claim is filed by an authorized agent, provide both the name of the individual filing the claim and the name of the agent. If the authorized agent is a servicer, identify the corporate servicer as the company. Criminal penalties apply for making a false statement on a proof of claim.

DEFINITIONS		INFORMATION
Debtor A debtor is the person, corporation, or other entity that has filed a bankruptcy case.	A claim also may be secured if the creditor owes the debtor money (has a right to setoff).	Acknowledgment of Filing of Claim To receive acknowledgment of your filing, you may either enclose a stamped self-addressed envelope and a copy of this proof of claim or you may access the court's PACER system (www.pacer.psc.uscourts.gov) for a small fee to view your filed proof of claim.
Creditor A creditor is a person, corporation, or other entity to whom debtor owes a debt that was incurred before the date of the bankruptcy filing. See 11 U.S.C. §101 (10).	Unsecured Claim An unsecured claim is one that does not meet the requirements of a secured claim. A claim may be partly unsecured if the amount of the claim exceeds the value of the property on which the creditor has a lien.	Offers to Purchase a Claim Certain entities are in the business of purchasing claims for an amount less than the face value of the claims. One or more of these entities may contact the creditor and offer to purchase the claim. Some of the written communications from these entities may easily be confused with official court documentation or communications from the debtor. These entities do not represent the bankruptcy court or the debtor. The creditor has no obligation to sell its claim. However, if the creditor decides to sell its claim, any transfer of such claim is subject to FRBP 3001(e), any applicable provisions of the Bankruptcy Code (11 U.S.C. § 101 <i>et seq.</i>), and any applicable orders of the bankruptcy court.
Claim A claim is the creditor's right to receive payment for a debt owed by the debtor on the date of the bankruptcy filing. See 11 U.S.C. §101 (5). A claim may be secured or unsecured.	Claim Entitled to Priority Under 11 U.S.C. § 507 (a) Priority claims are certain categories of unsecured claims that are paid from the available money or property in a bankruptcy case before other unsecured claims.	
Proof of Claim A proof of claim is a form used by the creditor to indicate the amount of the debt owed by the debtor on the date of the bankruptcy filing. The creditor must file the form with the clerk of the same bankruptcy court in which the bankruptcy case was filed.	Redacted A document has been redacted when the person filing it has masked, edited out, or otherwise deleted, certain information. A creditor must show only the last four digits of any social-security, individual's tax-identification, or financial-account number, only the initials of a minor's name, and only the year of any person's date of birth. If the claim is based on the delivery of health care goods or services, limit the disclosure of the goods or services so as to avoid embarrassment or the disclosure of confidential health care information.	
Secured Claim Under 11 U.S.C. § 506 (a) A secured claim is one backed by a lien on property of the debtor. The claim is secured so long as the creditor has the right to be paid from the property prior to other creditors. The amount of the secured claim cannot exceed the value of the property. Any amount owed to the creditor in excess of the value of the property is an unsecured claim. Examples of liens on property include a mortgage on real estate or a security interest in a car. A lien may be voluntarily granted by a debtor or may be obtained through a court proceeding. In some states, a court judgment is a lien.	Evidence of Perfection Evidence of perfection may include a mortgage, lien, certificate of title, financing statement, or other document showing that the lien has been filed or recorded.	